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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,639	01/16/2004	Ayedin Nikazm	16356.834 (DC-05396)	1548
27683 7590 02/27/2007 HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			EXAMINER ELAMIN, ABDELMONIEM I	
			ART UNIT 2116	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 02/27/2007		DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/759,639

Applicant(s)

NIKAZM ET AL.

Examiner

Abdelmoniem Elamin

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. §.133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibasaki et al, US. Pat. No. 5,270,946 (*previously cited*) in view of Morgan et al, US. Pat. No 5,552,643.

3. Claims 1, 13, 24, Shibasaki teaches an information handling system (IHS) [*computer system 1 of Fig. 1*] comprising:

a system board including a processor [inherently, computer systems comprise a system board including a processor];

a first battery for supplying power to the system board [battery 17 of Fig. 1];

a second battery for supplying power to the system board [battery 18 of Fig. 1]; and

a switching circuit coupled to the first battery, the second battery and the system board [selecting circuit 19 of Fig. 1], for switching between the first battery and the second battery for supplying power to the system board.

Shibasaki fails to teach switching circuit for repeatedly switching between the first battery and the second battery, each battery supplying a peak amount of current for periods of time during which the switching circuit has connected one of the batteries for supplying current, while, simultaneously, the other of the batteries supplies no current whereby, in the aggregate,

Art Unit: 2116

the batteries maintain a continuous supply of peak current to the system; wherein at no time during operation are both the first and the second batteries connected for supplying current.

Morgan teaches a select circuitry for repeatedly switching between a first direct current power source [*PS1 of Fig. 1*] and a second direct current power source [*PS2 of Fig. 1*] at predetermined time [ $t_k$ ], wherein each direct current power source supplying a peak amount of current for periods of time during which the switching circuit has connected one of the direct current power sources for supplying current, while, simultaneously, the other of the direct current power source supplies no current whereby, in the aggregate, the direct current power sources maintain a continuous supply of peak current to the system wherein at no time during operation are both the first and the second direct current power sources connected for supplying current [*see Fig. 1 and related disclosure, also see col. 2, lines 42-46*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shibasaki to have the switching circuit for repeatedly switching between the first battery and the second battery, because it provides more efficient load sharing among an individual batteries and hence improves the length of life of the batteries [*see Morgan, col. 7, lines 27-34*].

4. Claims 2, 14, Shibasaki teaches the switching circuit connects the first battery to supply power to the system board during first periods of time alternating with second periods of time during which the switching circuit connects the second battery to supply power to the system board [abstract, see also selecting circuit 19 of Fig. 1 ].

Art Unit: 2116

5. Claims 3, 15, Shibasaki teaches the peak power that can be drawn from the first battery during the first time periods is greater than the power that the first battery is capable supplying under a continuous load [*because using the battery to power the load all the time wears it out*].

6. Claims 4, 16, Shibasaki teaches the peak power that can be drawn from the second battery during the second time periods is greater than the power that the second battery is capable of supplying under a continuous load [*because using the battery to power the load all the time wears it out*].

7. Claims 5, 17, Shibasaki fails to teach the first time periods are equal in duration to the second time periods.

Morgan teaches the first time periods are equal in duration to the second time periods [*abstract*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shibasaki to have the first time periods are equal in duration to the second time periods, because it increases the life of the batteries and wears out the two batteries at the same rate.

8. Claims 6-7, 18-19, both Shibasaki and Morgan fail to teach the first time periods are greater/shorter in duration than the second time periods.

This is an obvious matter of design choice. Therefore, a worker in the art would be motivated to have the first time periods being greater (or shorter) in duration than the second time periods, because it provides the user of the IHS with more flexibility.

9. Claims 8, 20, Shibasaki fails to teach the switching circuit includes a field effect transistor (FET) switch.

Art Unit: 2116

It is well known in the art to have the switching circuit includes a field effect transistor (FET) switch.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Shibasaki to include field effect transistor (FET) switch, because of it high speed switching.

10. Claims 9, 21, Shibasaki teaches the switch operates in response to a switching signal generator [element 13 of Fig. I].

11. Claims 10, 22, Morgan teaches the switching signal generator exhibits a variable switching frequency [*abstract*].

12. Claims 11, 23, Shibasaki teaches a capacitor coupled to the switching circuit, wherein the capacitor is for stabilizing the voltage supplied to the system board [*inherently, capacitors are used to stabilize voltage and eliminate oscillations*].

13. Claims 12, Shibasaki teaches the IHS is a portable HIS [*laptop, see col. 1, line 19*].

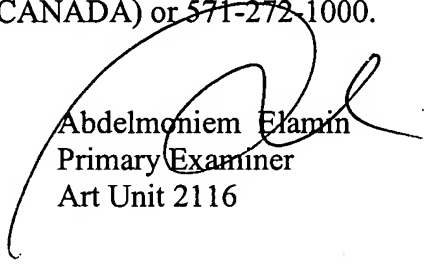
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem Elamin whose telephone number is 571-2727-3674. The examiner can normally be reached on MON - THUR 10:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Prveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2116

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Abdelmoniem Elamin  
Primary Examiner  
Art Unit 2116

February 20, 2007